

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton  
Executive Director

Southern District of New York  
Jennifer L. Brown  
Attorney-in-Charge

February 9, 2022

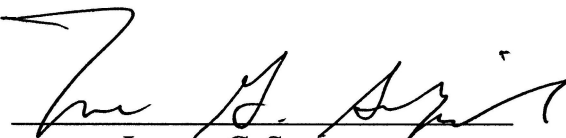
**Via ECF**

The Honorable Lorna G. Schofield  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Application Granted in part. The sentencing in this matter is rescheduled to **February 28, 2022, at 11:00 a.m.** Whereas Defendant has filed his sentencing submission, the Government's submission shall be filed on or before **February 17, 2022.** The Clerk of the Court is directed to terminate the letter motion at docket number 47.

Dated: February 14, 2022  
New York, New York

Re: **United States v. Antony Cruzado**  
**20 Cr. 565 (LGS)**



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**

Dear Judge Schofield,

I write in furtherance of my letter submitted on February 8, 2022 requesting an adjournment of sentencing in this matter. Dkt. No. 44.

As noted in prior correspondence to the Court and conversations with chambers and the Government, defense counsel's request for a sentencing hearing on or before March 7, 2022 has been motivated by a currently-scheduled weeks-long trial defense counsel has commencing before the Honorable Lewis J. Liman on March 8, 2022. In response to a request from chambers, I can relay that Judge Liman's anticipated trial schedule in that matter will be Monday through Friday, 9:30 a.m. to 5:00 p.m., with counsel expected to be available before the jury is brought in at 9:30 a.m. each day.

I also note for the Court that Judge Liman is scheduled to hold a conference on the afternoon of Thursday, February 10, 2022, the result of which might change defense counsel's availability in March. The undersigned will inform this Court and chambers as soon as possible tomorrow afternoon of the outcome of that hearing and counsel's availability for a sentencing hearing in March.

Accordingly, for the reasons stated in the defense's prior correspondence, and in light of the defense's current February 11, 2022 filing deadline, to permit the defense to effectively prepare its sentencing submission and for the undersigned to appear with Mr. Cruzado at his sentencing hearing, I respectfully request that the Court:

- (1) Adjourn *sine die* the parties' respective sentencing submission dates;
- (2) Order the defense to inform the Court by the end of Thursday, February 10, 2022 whether defense counsel's trial in March will be proceeding as currently scheduled; and

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- (3) Set a sentencing date (and filing dates) in light of the Court's and the parties' availability in March 2022.

I greatly appreciate the Court's and the Government's consideration and flexibility in this matter.

Respectfully submitted,

/s/ Neil Kelly

Neil P. Kelly  
Assistant Federal Defender  
(212) 417-8744

cc: AUSAs Mitzi Steiner, Kim Ravener